



House of Representatives

File No. 651

General Assembly

February Session, 2012

(Reprint of File No. 321)

House Bill No. 5497
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 5, 2012

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS
COMMITTEE CONCERNING THE REGULATION OF HEARING
INSTRUMENT SPECIALISTS AND AUDIOLOGISTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-398 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) No person may engage in the practice of fitting or selling hearing
4 aids, or display a sign or in any other way advertise or claim to be a
5 person who sells or engages in the practice of fitting or selling hearing
6 aids unless such person has obtained a license under this chapter or as
7 an audiologist under sections 20-395a to 20-395g, inclusive. [No
8 audiologist, other than an audiologist who is a licensed hearing
9 instrument specialist on and after July 1, 1996, shall engage in the
10 practice of fitting or selling hearing aids until such audiologist has
11 presented satisfactory evidence to the commissioner that the
12 audiologist has (1) completed at least six semester hours of coursework
13 regarding the selection and fitting of hearing aids and eighty hours of

14 supervised clinical experience with children and adults in the selection
15 and fitting of hearing aids at an institution of higher education in a
16 program accredited, at the time of the audiologist's completion of
17 coursework and clinical experience, by the American Speech-
18 Language-Hearing Association or such successor organization as may
19 be approved by the department, or (2) has satisfactorily passed the
20 written section of the examination required by this section for licensure
21 as a hearing instrument specialist.] No person may receive a license,
22 except as provided in subsection (b) of this section, unless such person
23 has submitted proof satisfactory to the department that such person
24 has completed a four-year course at an approved high school or has an
25 equivalent education as determined by the department; has
26 satisfactorily completed a course of study in the fitting and selling of
27 hearing aids or a period of training approved by the department; and
28 has satisfactorily passed a written, oral and practical examination
29 given by the department. Application for the examination shall be on
30 forms prescribed and furnished by the department. Examinations shall
31 be given at least twice yearly. The fee for the examination shall be two
32 hundred dollars; and for the initial license and each renewal thereof
33 shall be two hundred fifty dollars.

34 (b) Nothing in this chapter shall prohibit a corporation, partnership,
35 trust, association or other like organization maintaining an established
36 business address from engaging in the business of selling or offering
37 for sale hearing aids at retail, provided such organization employs
38 only persons licensed, in accordance with the provisions of this
39 chapter or as audiologists under sections 20-395a to 20-395g, inclusive,
40 in the direct sale and fitting of such products.

41 (c) Nothing in this chapter shall prohibit a hearing instrument
42 specialist licensed under this chapter from making impressions for
43 earmolds or a physician licensed in this state or an audiologist licensed
44 under the provisions of sections 20-395a to 20-395g, inclusive, from
45 making impressions for earmolds in the course of such person's clinical
46 practice.

47 Sec. 2. Section 20-402 of the general statutes is repealed and the
48 following is substituted in lieu thereof (*Effective October 1, 2012*):

49 (a) Licenses issued under this chapter shall be renewed once every
50 two years, in accordance with the provisions of section 19a-88, on
51 payment of the renewal fee of two hundred dollars to the department
52 and on production of evidence of satisfactory completion of continuing
53 education requirements established by the Commissioner of Public
54 Health, in accordance with subsection (b) of this section.

55 (b) (1) Except as provided in subsection (c) of this section, for
56 registration periods beginning on and after October 1, 2014, a licensee
57 applying for license renewal shall earn not less than sixteen hours of
58 continuing education within the preceding twenty-four-month period.
59 Such continuing education shall consist of courses offered or approved
60 by the National Board of Certification in Hearing Instrument Sciences,
61 the American Academy of Audiology or the American Speech-
62 Language Hearing Association or such successor organizations as may
63 be approved by the Commissioner of Public Health.

64 (2) Each licensee applying for license renewal pursuant to section
65 19a-88, except a licensee applying for a license renewal for the first
66 time, shall sign a statement attesting that he or she has satisfied the
67 continuing education requirements described in subdivision (1) of this
68 subsection on a form prescribed by the department. Each licensee shall
69 retain records of attendance or certificates of completion that
70 demonstrate compliance with the continuing education requirements
71 described in subdivision (1) of this subsection for not less than three
72 years following the date on which the continuing education was
73 completed. Each licensee shall submit such records to the department
74 for inspection not later than forty-five days after a request by the
75 department for such records.

76 (3) In individual cases involving medical disability or illness, the
77 commissioner may grant a waiver of the continuing education
78 requirements or an extension of time within which to fulfill such

79 requirements of this subsection to any licensee, provided the licensee
80 submits to the department an application for waiver or extension of
81 time on a form prescribed by the commissioner, along with a
82 certification by a licensed physician of the disability or illness and such
83 other documentation as may be required by the department. The
84 commissioner may grant a waiver or extension for a period not to
85 exceed one registration period, except that the commissioner may
86 grant additional waivers or extensions if the medical disability or
87 illness upon which a waiver or extension is granted continues beyond
88 the period of the waiver or extension and the licensee applies for an
89 additional waiver or extension.

90 (c) A licensee applying for the first time for license renewal
91 pursuant to section 19a-88 is exempt from the continuing education
92 requirements of this section.

93 (d) A licensee whose license has become void pursuant to section
94 19a-88 and who applies to the department for reinstatement of such
95 license, shall submit evidence documenting the successful completion
96 of eight hours of continuing education within the one-year period
97 immediately preceding application for reinstatement.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2012	20-398
Sec. 2	October 1, 2012	20-402

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no fiscal impact to the Department of Public Health (DPH) associated with allowing licensed audiologists to fit or sell hearing aids without obtaining additional licensures or having to meet additional education and training requirements as this is current DPH practice.

House "A" made changes to audiologist license renewal requirements including: (1) expanding the list of allowable organizations from which audiologists may earn continuing education hours, (2) authorizing the Department of Public Health to grant a waiver for continuing education requirements in certain cases involving medical disability or illness, and (3) the establishment of the number of continuing education hours needed to reinstate a "void" (or lapsed) audiologist license. These changes do not result in a fiscal impact to DPH.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5497 (as amended by House "A")******AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE REGULATION OF HEARING INSTRUMENT SPECIALISTS AND AUDIOLOGISTS.*****SUMMARY:**

This bill allows a licensed audiologist to fit or sell hearing aids without (1) obtaining additional licensure as a hearing instrument specialist (previously called "hearing aid dealer") or (2) completing additional educational and training requirements. Existing law already includes the fitting or selling of hearing aids within an audiologist's scope of practice (CGS § 20-395a (10)). Audiologists receive training in this function as part of their doctoral degree education and supervised postgraduate work experience.

For registration periods starting October 1, 2014, the bill requires a hearing instrument specialist to complete at least 16 hours of continuing education before the Department of Public Health (DPH) renews his or her biennial license. The continuing education must be completed within the two years preceding license renewal and include courses offered or approved by the National Board of Certification in Hearing Instrument Sciences, American Academy of Audiology, American Speech-Language Hearing Association, or any DPH-approved successor organizations. Current law does not require continuing education as a condition of licensure renewal.

The bill exempts from the continuing education requirements (1) first-time licensure renewal applicants and (2) certain licensees with a medical disability or illness.

The bill also requires a hearing instrument specialist seeking licensure reinstatement after his or her license was voided to submit to DPH evidence documenting successful completion of eight hours of continuing education within the preceding year.

*House Amendment "A" adds the provisions regarding hearing instrument specialists that (1) create certain exemptions from the continuing education requirements, (2) require licensure renewal applicants to sign a statement and keep records documenting completion of these requirements, and (3) require applicants for licensure reinstatement to document successful completion of eight hours of continuing education.

EFFECTIVE DATE: October 1, 2012

AUDIOLOGIST REQUIREMENTS FOR FITTING AND SELLING HEARING AIDS

The bill removes the statutory requirement that an audiologist who fits or sells hearing aids:

1. obtain additional licensure as a hearing instrument specialist;
2. provide DPH with evidence showing satisfactory completion of (a) at least six semester hours of coursework in selecting and fitting hearing aids and (b) 80 hours of supervised clinical experience with children and adults in selecting and fitting hearing aids at a program accredited by American Speech Language-Hearing Association, or its successor; or
3. pass the hearing instrument specialist written licensure exam.

HEARING INSTRUMENT SPECIALIST CONTINUING EDUCATION

Compliance

The bill requires a hearing instrument specialist, when applying for license renewal, to sign a statement attesting that he or she has completed the required 16 hours of continuing education. Each licensee must keep attendance records or completion certificates that

show compliance with this requirement for at least three years after the date the continuing education was completed. The licensee must submit the records to DPH for inspection within 45 days after the department requests it.

Waiver

The bill allows the DPH commissioner to waive or extend the deadline for completing the continuing education requirement for a licensee who has a medical disability or illness. The licensee must apply to DPH for such a waiver or extension and submit (1) a licensed physician's certification of the disability or illness and (2) any other documentation DPH requires.

Under the bill, the commissioner may grant a waiver or extension for up to one registration period. But, she may grant additional waivers or extensions if the illness or disability extends beyond that two-year time period and the licensee re-applies.

BACKGROUND***Hearing Instrument Specialists***

A hearing instrument specialist fits and sells hearing aids to individuals in retail establishments. To become licensed, the law requires an applicant to (1) complete a four-year high school course or its equivalent; (2) complete a DPH-approved study course or period in fitting and selling hearing aids; and (3) pass a written, oral, and practical exam (CGS § 20-398(a)).

COMMITTEE ACTION

Program Review and Investigations Committee

Joint Favorable Change of Reference

Yea 10 Nay 0 (03/16/2012)

Public Health Committee

Joint Favorable

Yea 24 Nay 0 (03/23/2012)

